

PCB GM 06-03

ORIGINAL

2006

1 A bill to be entitled

2 An act relating to Growth Management; amending paragraph
3 (b) of subsection 8 of section 163.3184, Florida Statutes;
4 providing a limitation related to compliance
5 determinations by the state land planning agency;
6 providing affordable housing density bonuses; providing an
7 appropriation; providing an effective date.

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9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Paragraph (b) of subsection (8) of section
12 163.3184, Florida Statutes, is amended to read:

13 163.3184 Process for adoption of comprehensive plan or plan
14 amendment.--

15 (8) NOTICE OF INTENT.--

16 (b) Except as provided in paragraph (a) or in s.
17 163.3187(3), the state land planning agency, upon receipt of a
18 local government's complete adopted comprehensive plan or plan
19 amendment, shall have 45 days for review and to determine if the
20 plan or plan amendment is in compliance with this act, unless the
21 amendment is the result of a compliance agreement entered into
22 under subsection (16), in which case the time period for review
23 and determination shall be 30 days. If review was not conducted
24 under subsection (6), the agency's determination must be based
25 upon the plan amendment as adopted. If review was conducted under
26 subsection (6), the agency's determination of compliance must be
27 based only upon one or both of the following:

28 1. The state land planning agency's written comments to the
29 local government pursuant to subsection (6); or

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30 2. Any changes made by the local government to the
31 comprehensive plan or plan amendment as adopted.

32 3. However, if a state land planning agency's written
33 comments to the local government pursuant to subsection (6)
34 relates to the availability of water, the agency shall not use
35 the lack of availability of water during the agency's
36 determination of compliance if the applicable local government
37 transmits with its adopted plan amendment a letter from the
38 applicable water supplier that provides that adequate water
39 supplies will be available. If the applicable water supplier
40 owns a property interest in the land that is the subject of the
41 plan amendment, then the local government must submit a letter
42 from the applicable water management district providing that
43 adequate water supplies will be available.

44 Section 2. There is hereby appropriated the sum of \$25
45 million from the General Revenue Funds for the Conservation and
46 Recreation Lands Program Trust Fund within the Department of
47 Agriculture and Consumer Services, for the purposes of section
48 570.71.

49 Section 3. This act shall take effect July 1, 2006.